

APR 19 2006

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www.pepperlaw.com**FAX INFORMATION SHEET**Date: April 19, 2006
ID Number: 61297
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<u>Recipient's Name</u>	<u>Company</u>	<u>General Number</u>	<u>Fax Number</u>
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Sender: Kathleen Pujol on behalf of W. Joseph Melnik
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Total Pages Including Cover: 8

Comments: Attached is a Election under 37 CFR §3.71 and 3.73 and Power of Attorney together with Statement of Assignee for Application No. 10/678,646.An original or a copy has ☐ or has not ☒ been sent to you by mail ☐ or by overnight service ☐ or by email ☐.♦ ♦ If total pages are not received, or an error occurred during this transmission,
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Coversheet Page 1 of 1

PAGE 1/174 * RCVD AT 4/19/2006 3:11:40 PM [Eastern Daylight Time] * SVR:USPTO-EFXXRF-3/1 * DNIS:2738300 * CSID:4122810717 * DURATION (mm-ss):43-14

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APR 19 2006

Docket No. 129510.00001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : See Attached 10/678,646
Applicants Robinson : See Attached
Filed : See Attached
Customer No. : 21269

TITLE: SEE ATTACHED

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an assignment recorded in the United States Patent and Trademark Office as set forth on the attached chart, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

The Assignee hereby revokes any previous Powers of Attorney and appoint the attorneys and agents associated with Customer Number 21269, for so long as they remain with such company or firm, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive the Letters Patent document, and for one year after the issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

PT: #255803 v1 (SHD)011.DOC

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Docket No. 129510.00001

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to PAY BY TOUCH CHECKING RESOURCES, INC. referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Please direct all future communications regarding this application as follows:

Customer Number 21269
Pepper Hamilton LLP
One Mellon Bank Center
500 Grant Street
Pittsburgh, PA 15219-2502

ASSIGNEE: Pay by Touch Checking Resources, Inc.

By: 

Name: Steve Zeffinger

Title: General Counsel for EVP

Date: 4/18/06

ASSIGNMENT:



Concurrently filed

Previously recorded

Date: February 24, 2006

Reel: 017210

Frames: 0364

Docket No. 129510.00001

Serial No.	Filing Date:	Inventor:	Assignment to BioPay, LLC Reel/Frame	Recording Date of BioPay, LLC Assignment	Assignment to Pay By Touch Checking Resources, Inc. Reel/Frame	Recording Date:
10/369,235	02-19-2003	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
10/277,017	10-21-2002	Robinson, et al.	017210/0364	02-24-2006	017210/0364	2/24/2006
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11/187,835	07-25-2005	Robinson, et al.	Recorded/not yet published	02-02-2006	017210/0364	2/24/2006

PT: #255803 v1 (3HDN01LDOC)

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Docket No. 129510.00001

Serial No.	Filing Date:	Inventor:	Assignment to BioPay, LLC Reel/Frame	Recording Date of BioPay, LLC Assignment	Assignment to Pay By Touch Checking Resources, Inc. Reel/Frame	Recording Date:
11/345,284	02-02-2006	Robinson, et al.	Recorded/not published	02-02-2006	017336/0231	3/21/2006
10/142,687	10-25-2005	Robinson, et al.	015436/0665	06-07-2004	017336/0231	3/21/2006

PT: #255804 v1 (SHD_01.DOC)

Docket No. 129510.0001

STATEMENT UNDER 37 C.F.R. 3.73(B)

Applicant/Patent Owner: PAY BY TOUCH CHECKING RESOURCES, INC.
Application No./Patent No.: SEE ATTACHED 10/678,646
Filed/Issue Date: SEE ATTACHED

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PAY BY TOUCH CHECKING RESOURCES, INC. (name of assignee), a corporation (type of organization), states that it is:

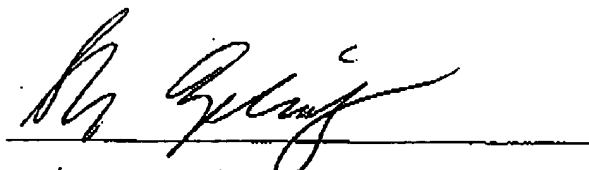
1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either.

- ☒ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as identified on the attached chart.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

Signature:



Typed or printed name:

Steve Zelinger

Title:

General Counsel and EVP

Date:

April 18, 2006

Serial No.	Filing Date:	Inventor:	Assignment to BioPay, LLC Reel/Frame	Recording Date of BioPay, LLC Assignment	Assignment to Pay By Touch Checking Resources, Inc. Reel/Frame	Recording Date:
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Docket No.: 129510. 10101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Robinson, et al.

Application No.: 10/678,646

Filed: Oct. 6, 2003

Examiner:


For: System and Method for Enrolling in a Biometric System

CERTIFICATE OF FACSIMILE UNDER 37 C.F.R. §1.6 & §1.8

I hereby certify that this Power of Attorney and Statement of Assignee is being sent via facsimile to fax number 571-273-8300 under 37 C.F.R. §1.6 & §1.8 on April 19, 2006.

Kathleen Pujol

(Typed/printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

Documents Faxed:

1. Election under 37 CFR §3.71 and 3.73 and Power of Attorney
2. Statement of Assignee
3. Certificate of Facsimile